

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

August 12, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No. 10OD-117

Oahu

Issuance of Revocable Permit to Na Wahine O Ke Kai for a Canoe Race Event at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of: 021.

APPLICANT:

Na Wahine O Ke Kai, whose business and mailing address is 12A Kailua Road, Kailua, HI 96734

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Waikiki, Honolulu, Oahu, identified as tax map key (1) 2-3-037: portions of 021, as shown on the attached Exhibit A.

AREA

1,400 square feet, more or less

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

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DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

The requested beach areas are unencumbered

CHARACTER OF USE:

Canoe Race Event

TERM:

From 6 a.m. to 6 p.m. on Sunday, September 26, 2010

RENTAL:

\$140.00 (One time payment based on 10¢ per square foot per day.)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation.", as included in Exhibit B.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>x</u>	NO <u> </u>
Registered business name confirmed:	YES <u>x</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>x</u>	NO <u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for beach activities in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in the form of a revocable permit.

Na Wahine O Ke Kai is requesting a right-of-entry permit for the Women's Molokai To Oahu Canoe Race event consisting of a forty two (42) mile canoe race event that begins at Hale-O-Lono Harbor, Molokai and concludes at Duke Kahanamoku Beach located in Waikiki, on Oahu. The one-day canoe race event is scheduled for Sunday, September 26, 2010. Set-up on the beach is scheduled for 6 a.m. and its tear-down is scheduled for 6 p.m.

Included in Exhibit C of this request, is a map furnished by the applicant describing the requested beach permit areas for the conclusion of the race event. The applicant requests the use of one thousand (1,000) square feet of Duke Kahanamoku Beach fronting the Hilton Hawaiian Village Hotel to include a tent and a greeting area for the canoe race finishers. A separate beach exit area consisting of approximately four hundred (400) square feet is being requested for the unrigging and removal of the canoes. The total beach area requested for the canoe race event consists of one thousand four hundred (1,400) square feet.

The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from government or community agencies.

Staff has no objections to the subject request.


RECOMMENDATION: That the Board

Authorize the issuance of a revocable permit to Na Wahine O Ke Kai for the purpose of covering the subject beach areas for a canoe race event under the

terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson 



EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Issuance of Revocable Permit for the Wahine O Ke Kai Race

Project / Reference No.: PSF 10OD-117

Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of: 021.

Project Description: Canoe Race Event

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

Similar events in the past have been permitted. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties Office of Conservation and Coastal Lands

Recommendation: It is recommended that the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date

EXHIBIT B

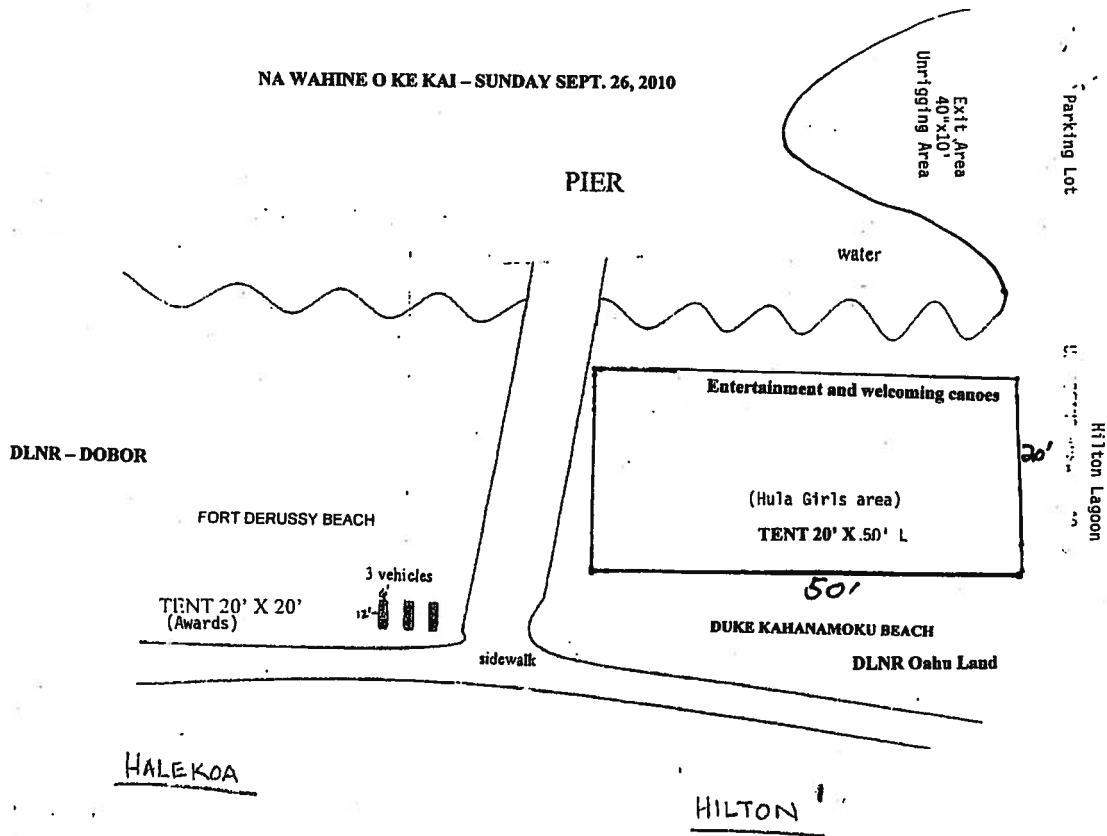


EXHIBIT C